

From: [Cool, Richard](#)
To: [Moon, Wally](#)
Cc: [Wenning, Stephanie](#); [Franklin, Richard](#)
Subject: Little Goose Dam spill inquiry
Date: Monday, February 13, 2023 12:53:19 PM
Attachments: [Army Corps News Release Little Goose Dam 10.25.2022.pdf](#)
[04302021 USACE John Day Dam WD SEMD.pdf](#)

Wally, please see email train below for context regarding my “ask” about any Army Corp Little Goose Dam report/letter per 112.4(a) to the Region 10 RA.

FYI, I have attached an Army Corps Oct. 25, 2022 news release that refers to a unit oil leak of 300 – 600 gallons over a immediate prior 90-day period but the release is not detailed on exactly what the COE’s determination was on the amount that was released to the river.

As I noted to Stephanie, I do not know at this time whether the Army Corp made any affirmative determinations on exactly what quantities of oil were discharged to the river during each month of the July-September 2022 time period so I am not currently sure whether they made an affirmative determination that 112.4(a) reporting was or was not triggered.

But before we get to scheduling the SWES triage meeting of Richard’s SPCC inspection checklist when it is completed and sent to Little Goose Dam and consider follow-up on the Little Goose Dam 2022 spill, I thought it prudent to ask SEMD if they had ever received a copy of any Army Corp letter to the RA like SEMD got when the Army Corp sent in the April 2021 letter to the RA (attached) for the John Day Dam spills in Dec 2020/Jan 2021.

Let me know if you have any questions. Thanks for your help.

Rick

From: Franklin, Richard <Franklin.Richard@epa.gov>
Sent: Monday, February 13, 2023 12:43 PM
To: Cool, Richard <Cool.Richard@epa.gov>; Wenning, Stephanie <Wenning.Stephanie@epa.gov>
Cc: Moon, Wally <Moon.Wally@epa.gov>
Subject: RE: John Day Dam SPCC Inspection & Spill Follow-Up; & Little Goose Dam spill inquiry

As a reminder, under the rule, the facility owner/operator is supposed to notify the RA when either the facility has two or more spills of 42 gallons or more of oil to a waterway within any 12-month period, or a single spill of 1,000 gal or more to a waterway. The last letter we received was from Wally, who had received it from someone in the RA’s office I believe – so Wally may know.

From: Cool, Richard <Cool.Richard@epa.gov>
Sent: Monday, February 13, 2023 2:20 PM
To: Wenning, Stephanie <Wenning.Stephanie@epa.gov>; Franklin, Richard <Franklin.Richard@epa.gov>
Subject: RE: John Day Dam SPCC Inspection & Spill Follow-Up; & Little Goose Dam spill inquiry

Thanks Stephanie for your help.

From: Wenning, Stephanie <Wenning.Stephanie@epa.gov>
Sent: Monday, February 13, 2023 12:18 PM
To: Cool, Richard <Cool.Richard@epa.gov>; Franklin, Richard <Franklin.Richard@epa.gov>
Subject: RE: John Day Dam SPCC Inspection & Spill Follow-Up; & Little Goose Dam spill inquiry

Rick and Richard-

I'll see what I can find out about the letter to the RA for this most recent incident. I haven't seen anything yet but I'm not sure if SEMD is traditionally made aware of these.

Thanks-
Stephanie

From: Cool, Richard <Cool.Richard@epa.gov>
Sent: Monday, February 13, 2023 9:13 AM
To: Franklin, Richard <Franklin.Richard@epa.gov>
Cc: Wenning, Stephanie <Wenning.Stephanie@epa.gov>
Subject: John Day Dam SPCC Inspection & Spill Follow-Up; & Little Goose Dam spill inquiry

ENFORCEMENT CONFIDENTIAL DELIBERATIVE PROCESS

STEPHANIE: Please see my "ask" below about any Army Corp (Little Goose Dam) letter that might have been sent to the Region 10 RA in regard to the LGD spill that was first publicly reported in October 2022 for a spill period of July-September 2022. Similar to the attached Army Corp-John Day Dam April 2021 letter submitted in accord with 112.4(a). I do not know at this time whether the Army Corp made any affirmative determinations on exactly what quantities of oil were discharged to the river during each month of the July-September 2022 time period so not currently sure whether they made determination that 112.4(a) reporting was or was not triggered. I do not have a good sense how any such letter(s) received in RA Office are forwarded to SEMD staff so any information you might have or internal inquiry you can make would be appreciated.

Hey Richard:

I met with Mickey and Kate last Friday in regard to the John Day Dam and Little Goose Dam matters you discussed in your February 1 email.

Little Goose Dam. In re Little Goose Dam, SWES will set up the routine internal triage meeting as soon as we get your SPCC Inspection Checklist in whatever form you want to provide it (e.g., draft form prior to sending to the Dam, or your final signed Checklist after sending it to the Dam), your choice. During the triage meeting, we will likely discuss the nature of the spill follow-up and how to stage any spill follow-up with the inspection follow-up.

Per above message to Stephanie, I would appreciate it if you could find out whether Region 10 RA received any similar 60-day report in accord with 112.4(a) from the Army Corp for the Little Goose Dam spill that occurred in that July-September 2022 period . . . a letter like that attached April 2021 Army Corp letter in re the John Day Dam spills. And if received, could I

get a copy?

John Day Dam. In re John Day Dam, SWES will proceed with issuance of an NOV, likely for both the SPCC inspection as well as the two spills (Dec 2020/Jan 2021), that might also include a 308 information request.

I volunteered to do the NOV/308 and would like to discuss the approach I could take with regard to both the spills and inspection. Given the passage of time, I will propose a Team meeting with you to discuss approach options.

As background material, in addition to the various John Day Dam attachments you included in your February 1 email (also attached here), I am including copies of the JDD news releases for the two spills and their April 2021 RA letter submitted in accord with 112.4(a).

Also, I hope that you can provide a copy of their SPCC Plan that you reviewed for the inspection.

Look for my Teams meeting invitation. I realize you might be jammed up as part of your Texas training trip fallout so if my Teams scheduling does not work for you, please feel free to suggest alternative dates or times.

Rick Cool
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From: Franklin, Richard <Franklin.Richard@epa.gov>

Sent: Wednesday, February 01, 2023 7:33 PM

To: Jencius, Michele <jencius.michele@epa.gov>; Cool, Richard <Cool.Richard@epa.gov>

Cc: Wenning, Stephanie <Wenning.Stephanie@epa.gov>

Subject: Status Update on John Day Dam SPCC Inspection & Little Goose Dam spill

Hi All,

As I mentioned on the phone today during our huddle, I am interested in the enforcement status for one SPCC inspection we did in 2021 at the John Day Dam, and a 600 gal oil spill at Little Goose Lock & Dam which occurred from July – October 2022. We conducted SPCC inspections at both the John Day Dam and Little Goose Dam after spills at each facility.

The John Day SPCC inspection report was completed and sent out previously – see attached and below.

However, the Little Goose SPCC inspection was conducted this past November, but the

report has not been finished yet, nor have we scheduled a triage call. However, I should be completing the inspection checklist and photolog soon, and perhaps we can schedule a triage as well. The little Goose Dam spill has received quite a bit of attention in the media, and environmental and fishing organizations, and we've already had a FOIA request on it. To be fair, it may be that we (including me) did not notify Enforcement about the Little Goose spill. We did not conduct an emergency response to it, but did follow up with calls and then of course the SPCC Inspection. At any rate, I would like to see Enforcement take a look at the spill, and perhaps even send a 308 letter. Here's some more info:

- John Day Lock & Dam Project
SPCC Inspection date: July 21, 2021
Report Issuance date: October 12, 2021 (attached)
- Little Goose Lock & Dam Spill
Occurred sometime between July and October 2022
NRC Report #1350712 (attached)
SPCC Inspection date: Nov. 30, 2022

Thanks,

- Richard

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